
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

**SAUL GARCIA MACIAS, and
JACQUELINE KAY FODNESS,**

Defendants.

**ORDER AFFIRMING & ADOPTING
REPORT & RECOMMENDATION**

Case No. 2:05CR529DAK

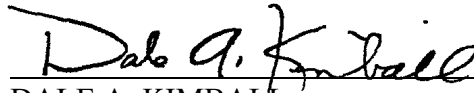
This matter is before the court on Defendant Jacqueline Kay Fodness's Objection to Report and Recommendation issued by the United States District Court Magistrate Judge. This case was referred to the Magistrate Judge Samuel Alba under 28 U.S.C. § 636(b)(1)(B). On November 13, 2006, Magistrate Judge Alba issued a thorough Report and Recommendation on Defendants' motions to suppress, recommending that the motions be denied. On November 21, 2006, Defendant Fodness filed an objection to the Report and Recommendation, and on December 7, 2006, the government filed a response to Defendant's objection.

The Magistrate Judge's Report and Recommendation is subject to *de novo* review by this court. *See* 28 U.S.C. § 636(b)(1)(B); *see also* Fed. R. Civ. P. 72(b). The court has reviewed *de novo* Defendant's objections to Magistrate Judge Alba's Report and Recommendation, the Report and Recommendation, and the relevant memoranda and evidence relating to Defendants' motions to suppress.

This court finds no basis for Defendant's objection and the court adopts Magistrate Judge Alba's Report and Recommendation in its entirety as the Order of this court. It is hereby ordered that Magistrate Judge Alba's Report and Recommendation is affirmed. Defendants' motions to suppress, therefore, are denied.

DATED this 15th day of December, 2006.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL
United States District Judge